Remarks

Applicant has reviewed this Application in light of the Advisory Action dated February 26, 2009 and the final Office Action ("*Office Action*") dated November 17, 2008. To advance prosecution of this Application, Applicant amends Claims 1-3, 8-10, 15-17, 22, and 25-27. Applicant does not admit that the amendments are necessary due to the cited references or any of the Examiner's rejections. Applicant traverses the rejections and requests reconsideration and allowance of all pending claims.

Section 112 Rejections

The *Office Action* rejects Claims 1-27 under 35 U.S.C. § 112, second paragraph, because the term "at least some" is allegedly not defined by the claim, the specification allegedly does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art allegedly would not be reasonably apprised of the scope of the invention.

Breadth of a claim is not to be equated with indefiniteness. *In re Miller*, 441 F.2d 689, 169 USPQ 597 (CCPA 1971). If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claims, then the claims comply with 35 U.S.C. § 112, second paragraph. See MPEP § 2173.04. Here, Claim 1 describes collecting dynamic status information, and conveying "at least some of the dynamic status information." The claimed limitation may be broad, in that any amount of the dynamic status information may be conveyed, including all of the dynamic information, but that does not equate with indefiniteness. The element describes conveying a portion or all of the dynamic status information, and is supported by the written description. In addition, a person of ordinary skill in the art would be reasonably apprised of the scope of the claim.

The *Office Action* rejects Claims 25-27 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant's disclosure is sufficient to convey to one skilled in the art that, as of the filing date, Applicant was in possession of the invention as claimed. In the Application, Figures 3A-3C illustrate exemplary embodiments of individual nodes 115 in grid 110. See Specification, pp. 18-24, and Figures 3A-3C. Nodes 115 may be represented by blades 314. See Specification, p. 18, lines 13-15. Blade 315 may include an integrated switch 345, which may include any number of ports. See id., p. 18, lines 26-29. Blade 315 may also include at least two

processors. See id., p. 19, lines 18-21. In addition, system 100 contemplates using any suitable combination and arrangement of elements for implementing various scalability schemes. See id., p. 23, lines 23-26.

The above-cited portions of Applicant's specification, along with the rest of the Application, is sufficient to convey to one skilled in the art that, as of the filing date, Applicant was in possession of the invention as claimed. As a result, Claims 25-27 comply with the written description requirement. Consequently, Applicant respectfully requests withdrawal of the rejection of Claims 25-27.

Section 102 Rejections

The *Office Action* rejects Claims 1-4, 7-11, 14-18, 21, and 25-27 under 35 U.S.C. § 102(b) as being anticipated by Rena Haynes et al., *A Visual Tool for Analyzing Cluster Performance Data*, PROCEEDINGS OF THE 2001 IEEE INTERNATIONAL CONFERENCE ON CLUSTER COMPUTING, 2001 ("*Haynes*"). Applicant traverses the rejections and respectfully requests reconsideration and allowance of Claims 1-4, 7-11, 14-18, 21, and 25-27.

Haynes fails to support the rejection of amended Claim 1 for at least two reasons. First, *Haynes* fails to teach, suggest, or disclose a "display presenting at least one job space within at least one virtual cluster of nodes, the job space dynamically allocated to complete at least one job" as recited in amended Claim 1. Second, *Haynes* fails to teach, suggest, or disclose that "each node compris[es] a switching fabric integrated to a card and at least two processors integrated to the card" as recited in amended Claim 1.

First, *Haynes* fails to teach, suggest, or disclose a "display presenting at least one job space within at least one virtual cluster of nodes, the job space dynamically allocated to complete at least one job" as recited in amended Claim 1. The cited portion of *Haynes* discloses a "visualization tool" that "displays switches, network ports, and links between switches arranged in planes of rows and columns." *Haynes*, Section 5, lines 1-2, 18-23. *Haynes* further discloses that the display may comprise job information. *Haynes* states: "This job information can be displayed in both the network and processor display modes so that job assignment can be viewed and integrated with the performance data." *Haynes*, Section 5, lines 79-85. However, the mere display of switches and job information, as disclosed in *Haynes*, does not teach, suggest, or disclose a "job space *within at least one virtual cluster*" or a job space that is "*dynamically allocated* to complete at least one job" as recited in amended Claim 1. (Emphases added). Therefore, the cited portion of *Haynes* fails to teach,

suggest, or disclose a "display presenting at least one job space within at least one virtual cluster of nodes, the job space dynamically allocated to complete at least one job" as recited in amended Claim 1. Accordingly, amended Claim 1 is allowable over *Haynes*.

Second, *Haynes* fails to teach, suggest, or disclose that "each node compris[es] a switching fabric integrated to a card and at least two processors integrated to the card" as recited in amended Claim 1. The *Office Action* points to Section 3 of *Haynes* as allegedly teaching "each node comprising a switching fabric integrated to a card and at least two processors integrated to the card." *Office Action*, pp. 3-4. Here, *Haynes* describes a GUI that provides a visualization of network switches, where a switch may comprise twelve *processor ports*, which connect the switches to separate compute nodes, and four network ports, which connect the network switches to each other. *Haynes*, Fig. 1 and Section 3, lines 9-15 and lines 51-62 (emphasis added). The processors associated with the compute nodes that are connected to the processor ports of the switch depicted in Figure 1 may be numbered consecutively. *Haynes*, Fig. 1 and Section 3, lines 30-32. *Haynes* therefore describes multiple processor ports in a network switch, but does not describe any configuration of the processors connected to the processor ports, including whether at least two processors are integrated to a card. *Haynes*, Section 3, lines 9-12 and 18-21. In addition, the multiple listings of "PROCESSOR" in Figure 1 denote the processor ports of a switch, not processors associated with a node. *Haynes*, Figure 1 and Section 3. The cited portions of *Haynes* fail to describe a card and "at least two processors integrated to the card." As a result, *Haynes* fails to teach, suggest, or disclose "each node comprising a switching fabric integrated to a card and at least two processors integrated to the card" as recited in amended Claim 1. Accordingly, amended Claim 1 is allowable over the cited reference. For at least the foregoing reasons, Applicant respectfully requests reconsideration and allowance of amended Claim 1 and its dependents.

In rejecting Claims 8, 15, and 25-27, the *Office Action* employs rationale that is similar to that used to reject Claim 1. Accordingly, for reasons analogous to those stated above with respect to amended Claim 1, Applicant respectfully requests reconsideration and allowance of amended Claims 8, 15, and 25-27 and their respective dependents.

Section 103 Rejections

The *Office Action* rejects Claims 5-6, 12-13, and 19-20 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Haynes* as applied to Claims 1-4, 8-11, and 15-18 above,

and further in view of U.S. Publication No. 2003/0154112 filed by Neiman et al. ("*Neiman*"). Applicant respectfully traverses these rejections.

Claims 5-6, 12-13, and 19-20 are dependent upon independent Claims 1, 8, and 15, shown above to be allowable. The cited portions of *Neiman* fail to cure the deficiencies of *Haynes* that are discussed above with respect to amended Claim 1. Accordingly, Claims 5-6, 12-13, and 19-20 are allowable over the cited references. Therefore, Applicant respectfully requests reconsideration and allowance of Claims 5-6, 12-13, and 19-20.
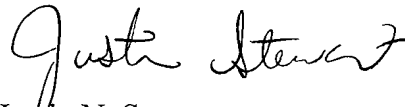
Conclusion

For at least the foregoing reasons, Applicant respectfully requests allowance of all pending claims.

If a telephone conference would advance prosecution of this Application, the Examiner may call Justin N. Stewart, Attorney for Applicant, at 214-953-6755.

The Commissioner is hereby authorized to charge $810.00 for the Request for Continued Examination and $490.00 for a two-month extension and to charge any additional fee or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants

Justin N. Stewart
Reg. No. 56,449

Date: April 16, 2009

CORRESPONDENCE ADDRESS:

Customer Number   **45507**